

1 RICHARD W. RELYEA, WSBA No. 9491
2 WINSTON & CASHATT
3 601 W. Riverside, Ste. 1900
4 Spokane, Washington 99201
5 Telephone: (509) 838-6131
6 Facsimile: (509) 838-1416

7
8 Attorneys for Snap-on Tools Company LLC

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF WASHINGTON

11 THOMAS MERFELD, a single person;
12 and C. RAYMOND EBERLE as
13 Guardian Ad Litem for minor children,
14 J.L.M., R.L.M., and N.M.M.,

15 Plaintiffs,

16 vs.

17 FRANK ROBERTO and JANE DOE
18 ROBERTO, husband and wife,
19 individually and the marital community
20 composed thereof d/b/a SNAP-ON; and
21 SNAP-ON TOOLS COMPANY LLC, a
22 Delaware limited liability company; and
23 ABC CORPORATIONS, 1 through 5,
24 foreign corporations inclusive and all
predecessors and successors of "ABC"
CORPORATIONS, 1 through 5, foreign
corporations inclusive and all

No. CV-04-491-LRS

ORDER OF DISMISSAL WITH
PREJUDICE

ORDER OF DISMISSAL WITH PREJUDICE
Page 1

Winston & Cashatt
A PROFESSIONAL SERVICE CORPORATION
Bank of America Financial Center
601 West Riverside Avenue, Suite 1900
Spokane, Washington 99201-0665
(509) 838-6131

1 predecessors and successors of "ABC"
2 CORPORATIONS, 1 through 5
3 inclusive, statutory or otherwise
4 including trustees of dissolved
5 corporation; and "DEF" LIMITED
6 LIABILITY COMPANIES, 1 through
7 5, foreign limited liability companies
8 inclusive and all predecessors and
9 successors of "DEF" LIMITED
10 LIABILITY COMPANIES, 1 through 5
11 inclusive, statutory or otherwise
12 including trustees of dissolved limited
13 liability company; and "GHI"
14 GENERAL PARTNERSHIPS, 1
15 through 5; and "JOHN DOE"
16 CORPORATIONS, Washington
Corporations, 1 through 10 inclusive
and all predecessors and successors of
"JOHN DOE" CORPORATION, 1
through 10 inclusive, statutory or
otherwise including trustees of
dissolved corporation; and "JOHN
DOE" individuals, 1 through 10,

17 Defendants.


18 Based upon the Stipulation of the parties, IT IS HEREBY ORDERED that
19 this case and all the claims and causes of action herein, including all claims and
20 causes of action of the adult and minor plaintiffs be and the same are hereby
21 DISMISSED WITH PREJUDICE and without costs to any party herein.
22
23
24

1 The Clerk of this Court shall enter this Order, enter judgment of dismissal
2 with prejudice as provided herein, and forward copies to counsel.

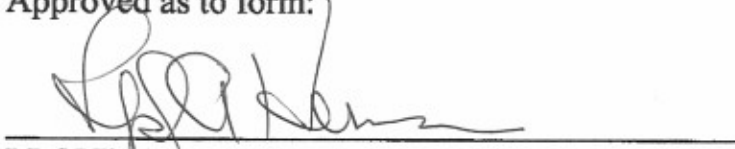
3 DATED this 5th day of July, 2006.

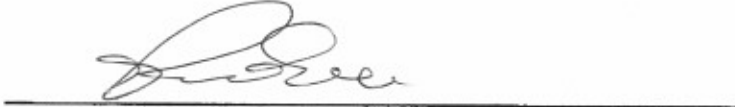
4
5 s/Lonny R. Suko
6 United States District JUDGE
7

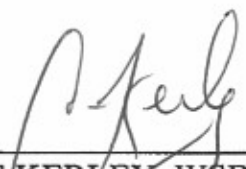
8 Presented by:

9
10 
11 RICHARD W. RELYEA, WSBA No. 9491
12 WINSTON & CASHATT
13 Attorneys for Snap-on Incorporated

14 Approved as to form:

15
16 
17 LLOYD A. HERMAN, WSBA No. _____
18 Attorneys for Plaintiffs Thomas Merfeld, Jerry Leon
19 Merfeld, R.L. Merfeld and N.M. Merfeld

20
21 
22 C. RAYMOND EBERLE, WSBA No. 3242
23 Attorney at Law and Guardian Ad Litem for the
24 Minor Plaintiffs R.L. Merfeld and N.M. Merfeld

1
2
3 
4 CHRIS KERLEY, WSBA No. 16489
5 KEEFE, KING & BOWMAN, P.S.
6 Attorneys for defendants Roberto
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ORDER OF DISMISSAL WITH PREJUDICE
Page 4

Winston & Bashatt
A PROFESSIONAL SERVICE CORPORATION
Bank of America Financial Center
601 West Riverside Avenue, Suite 1900
Spokane, Washington 99201-0605
(509) 838-6131